APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,626	02/05/2001	Takeshi Katayama	Q61668	8346

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SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
Suite 800
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3213

EXAMINER
SAIN, GAUTAM

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/775,626	KATAYAMA ET AL.
	Examiner	Art Unit	
	Gautam Sain	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 April 2005*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-39* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413)
                                                       Paper No(s)/Mail Date. _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.   6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1)   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1-1)   Claims 1, 2, 3, 4, 6, 8, 10, 11, 12, 13, 14, 16,18, 19, 20, 21, 22, 23, 24, 25, 26,

27, 28, 30, 32, 34 are rejected under 35 U.S.C. 102(e) as being anticipated by

<u>Palmer</u> (US 6078403, filed Oct 1996).

Claim 1. Palmer teaches

A method of creating data for printing when performing page editing

operation on a computer, the method comprising the steps of;

(a) determining if there is any part of the page, for which corresponding parts data has

not been received by the time of the page editing operation, and if so, creating dummy

parts data for the unreceived parts data (ie., user selects a dummy data region within

base document that user desires to define as a variable data area)(col 5, lines 20-25);

(b) creating dummy page data by inserting the dummy parts data for the unreceived

parts data in a position on the page allocated for the unreceived parts data (ie., user

enters dummy data at locations where user desires to display variable data)(col5, lines

7-20); and

(c) replacing the dummy parts data when the unreceived parts data is received, with the

received parts data, for creating page data for printing (ie., the variable data that the user desires will be inserted data, into respective dummy data region)(col5, lines 13-20)(ie., data to be printed)(col5, line 60)(ie., replacing dummy data)(col 6, line 11).

Claim 2, 12, Palmer teaches

The method of Claim 1, wherein creating dummy parts data in the step of determining includes providing first information with the dummy parts data, and the step of replacing the dummy parts data includes referring to the first information (ie., user first places dummy data in the dummy region; later the dummy variable data is replaced with PDL prolog)(col 5, lines 7-20; col 6, lines 10-12).

Claim 3, 13, Palmer teaches

The method of Claim 2, wherein the first information includes data indicating a folder and a file in which the page data for printing is expected to be stored (ie., file with filename that contains the variable data within a specified directory system. Upon entering the data, this is where the file will be stored)(col 6, lines 35-41).

Claim 4, 14, Palmer teaches

The method of Claim 2, wherein the parts data when received, also includes the first information (ie., PDL prolog data replaces the variable dummy data which was initially entered by user)(col 6, lines 10-15).

Claim 6, 16, Palmer teaches

The method of Claim 5, wherein the step of creating dummy page data, includes providing second information with the dummy page data, and the step of creating plate face data includes referring to the second information (ie., filename of

variable data file ... user selects a record, with field identification that contains the
variable data objects.

Claim 8, 18, Palmer teaches

The method of Claim 6, wherein the page data for printing, also includes

the second information (ie., the postprocessor initiates to print document from base

document and document definition file)(col 7, lines 10-15).

Claim 10, 20, Palmer teaches

The method of Claim 9, further comprising the step of terminating processing if the

instruction has not been inputted (ie., process terminates 76 when no more variable

data inputted)(col 6, line 61 – col 7, line 15; fig 3).

Claim 11, Palmer teaches

A system for creating printing data during page editing and layout, tàe

system comprising a data processing arrangement having program logic, the progrnm

logic including:

(a) a first logic portion, which creates dummy parts data for unreceived parts data of a

Page (ie., user selects a dummy data region within base document that user desires to

define as a variable data area)(col 5, lines 20-25);

(b) a second logic portion, which creates dummy page data by inserting the dummy

parts data for the unreceived parts data in a position on the page allocated for the

unreceived parts data (ie., user enters dummy data at locations where user desires to

display variable data)(col5, lines 7-20) ; and

(c) a third logic portion, which replaces the dummy parts data when the unreceived

parts data is received, with the received parts data, for creating page data for printing

(ie., the variable data that the user desires will be inserted data, into respective dummy

data region)(col5, lines 13-20)(ie., data to be printed)(col5, line 60)(ie., replacing dummy

data)(col 6, line 11).

Claim 19, Palmer teaches

The system of Claim 11, wherein an instruction initiates a determination

in the program logic as to whether to create dummy parts data (ie., upon determination

that additional variable data areas remain to be defined, if not, then process

terminates)(col 6, lines 61-67; fig 3, item 70) .

Claim 21, Palmer teaches

A system for creating printing data during page editing and layout, the

system comprising a data processing arrangement having program logic, the program

logic including:

(a) a logic portion, which creates dummy parts data having link information for

unreceived parts data, with the link information linking the dummy parts data with a

storage location in the data processing arrangement, and inserts the dummy parts data

in a position on the page allocated for the unreceived parts data (ie., user selects a

dummy data region within base document that user desires to define as a variable data

area)(col 5, lines 20-25); (ie., user enters dummy data at locations where user desires

to display variable data)(col5, lines 7-20); and

(b) another logic portion, which operates in background monitoring the storage location

in the data processing arrangement, and when parts data is stored at the storage

location, said another logic portion replaces the dummy parts data with the parts data in

accordance with the link information (ie., the variable data that the user desires will be

inserted data, into respective dummy data region)(col5, lines 13-20)(ie., data to be

printed)(col5, line 60)(ie., replacing dummy data)(col 6, line 11).

Claim 22, Palmer teaches

A method of editing data, comprising:

creating application data with defined page layout and file link information (ie.,

conventional page layout ... base document)(col 3, lines 45-50)(ie., filename of variable

data file)(col 6, line 41);

storing received data (ie., retrieve variable data objects from a database within base

document)(col 7, lines 45-52);

creating dummy page data for data not yet received (ie., user enters dummy data at

locations where user desires to display variable data)(col5, lines 7-20);

replacing said dummy page data with expected data (ie., the variable data that the user

desires will be inserted data, into respective dummy data region)(col5, lines 13-20)(ie.,

data to be printed)(col5, line 60)(ie., replacing dummy data)(col 6, line 11).

Claim 23, Palmer teaches

The method of claim 22, wherein said dummy page data comprises storage

location information for said expected data (ie., dummy data regions ... variable data

that the user desires to insert into each respective dummy data region)(col 5, lines 13-

18).

Claim 24, Palmer teaches

The method of claim 22, wherein said expected data comprises said data not

yet received (ie., variable data contains dummy data where data will be inserted to

replace the dummy data variables)(col 5, lines 13-25).

Claim 25, Palmer teaches

The method of claim 22, further comprising:

monitoring newly received data for said expected data corresponding to data not yet

received (ie., in response to a determination by the user that no more variable data

areas remain to be defined)(col 6, lines 66-67).

Claim 26, Palmer teaches

The method of claim 22, wherein said dummy page data is designated as

unreceived data comprising title and delivery information (ie., where customer name,

business name are the title of a person or organization and street address, city, state,

... is the deliver information)(col 5, lines 13-15).

Claim 27, Palmer teaches

The method of claim 22, wherein said dummy page data and said expected

data are graphical images (ie., graphical objects)(col 5, line 18).

Claim 28, Palmer teaches

The method of claim 1, further comprising inserting a link to a database file

for each received parts data of the page at the time of the page editing operation for

creating print data (ie., PDL comment statements ... so that variable data objects may

be retrieved from a designated database during post processing)(col 7, lines 40-55).

Claim 30, Palmer teaches

The system of claim 11, wherein each received parts data of the page at the

time of the page editing operation comprises a link to a database file, for creating print

data (ie., PDL comment statements ... so that variable data objects may be retrieved

from a designated database during post processing)(col 7, lines 40-55).

Claim 32, Palmer teaches

The system of claim 21, wherein each received parts data of the page at the

time of the page editing operation comprises a link to a database file, for creating print

data (ie., PDL comment statements ... so that variable data objects may be retrieved

from a designated database during post processing)(col 7, lines 40-55).

Claim 34, Palmer teaches

The method of claim 22, further comprising inserting a link to a database file

for each received data at the time of a page editing operation for creating print data (ie.,

PDL comment statements ... so that variable data objects may be retrieved from a

designated database during post processing)(col 7, lines 40-55).

Claim Rejections - 35 USC § 103

2)   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2-1)   Claims 5, 7, 9, 15, 17, 36, 37, 38, 39 are rejected under 35 U.S.C. 103(a) as

being unpatentable over <u>Palmer</u> (as cited above),

Claim 5, Palmer teaches

The method of Claim 1, further comprising the steps of:

(a) performing a layout operation using dummy page data to create dummy ...

data (ie., user performs formatting functions .. to the variable data area)(col 5, lines 45-

59); and

(b) creating plate face data for printing by replacing the dummy page data in the dummy

plate face data when page data is available from the step of replacing dummy parts

data (ie., processing a base document, within the printer, with variable data objects

retrieved from a database during post processing)(col 7, lines 40-50).

Palmer does not expressly teach

'plate face', but one of ordinary skill would have thought it was obvious that layout

template, as taught by Palmer, is equivalent to plate face at the time of the invention.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Palmer to include a layout template, providing the benefit of

specifying format parameters of a variable data area within a presentation document

(Title, Abstract section).

Claim 7, 17, Palmer teaches

The method of Claim 6, wherein the second information includes data

indicating a file and a ... in which the dummy page data is stored (ie., filename of

variable data file ... user selects a record, with field identification that contains the

variable data objects.

Palmer does not teach

page number, but one of ordinary skill would have thought it was obvious that field

identification, as taught by Palmer, was equivalent at the time of the invention.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Palmer to include a field identification, providing the benefit of

specifying format parameters of a variable data area within a presentation document

(Title, Abstract section).

Claim 15, Palmer teaches

The system of Claim 11, wherein the program logic further includes a

layout logic portion, which creates dummy plate face data using dummy page data (ie.,

user performs formatting functions .. to the variable data area)(col 5, lines 45-59), and

a fourth logic portion which replaces the dummy page data in the dummy ... data when

page data becomes available (ie., processing a base document, within the printer, with

variable data objects retrieved from a database during post processing)(col 7, lines 40-

50).

Palmer does not expressly teach

'plate face', but one of ordinary skill would have thought it was obvious that layout

template, as taught by Palmer, is equivalent to plate face at the time of the invention.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Palmer to include a layout template, providing the benefit of

specifying format parameters of a variable data area within a presentation document

(Title, Abstract section).

Claim 9, Palmer does not expressly teach *The method of Claim 1, further comprising the step of inputting an instruction to determine if there is any part of the page for which corresponding parts data has not been received*, but one of ordinary skill would have thought it was obvious based on Palmer's teachings (specifically, block 70 of Fig 3, upon user determination and in response, the system determines that additional variable data areas remain to be defined)(col 6, lines 61-65), since the system is in response to user's determination that user provided as input.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Palmer to include determining that additional variable data areas remain to be defined, providing the benefit of specifying format parameters of a variable data area within a presentation document (Title, Abstract section).

Claim 36, 37, 38, 39, Palmer does not expressly teach wherein said unreceived parts data comprising data parts not yet provided to the computer, but Palmer does teach a user creating a new document where the user can begin entering data within the document or "create document" and the user selects a dummy data region where the user desires to define as a variable data area (col 5, lines 1-25)(with the broadest reasonable interpretation of the claims, the examiner interprets that unreceived parts data as data the data that user enters but prior to user entering it).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Palmer to include a user creating a new document where user enters data that was not previously in the document as taught by Palmer, providing the

benefit of specifying format parameters of a variable data area within a presentation

document (Title, Abstract section).

2-2)   Claims 29, 31, 33, 35 are rejected under 35 U.S.C. 103(a) as being

unpatentable over <u>Palmer</u> (as cited above), in view of <u>Warmus</u> et al (US 6332149,

filed Feb 1997).

Claim 29, Palmer does not teach, but Warmus teaches

The method of claim 1, wherein the determining step further comprises

checking contents of a database coupled to the computer and determining unreceived

parts data by absence of data in the database (ie., ... determines whether all records in

the database have been considered for inclusion in additional variable pages)(col 17,

lines 41-50).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Palmer to include determining whether all records in the database

have been considered for inclusion in additional variable pages, as taught by Warmus,

providing the benefit of developing template pages wherein template data includes

master data representing fixed information to be printed and area data representing

information to be printed with selected variable information as they are processed

(Warmus, Abstract section).

Claim 31, Palmer does not teach, but Warmus teaches

The system of claim 11, wherein the first logic portion further comprises

checking contents of a database coupled to the data processing arrangement and

determining unreceived parts data by absence of data in the database (ie., ...

determines whether all records in the database have been considered for inclusion in additional variable pages)(col 17, lines 41-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Palmer to include determining whether all records in the database have been considered for inclusion in additional variable pages, as taught by Warmus, providing the benefit of developing template pages wherein template data includes master data representing fixed information to be printed and area data representing information to be printed with selected variable information as they are processed (Warmus, Abstract section).

Claim 33, Palmer does not teach, but Warmus teaches

The system of claim 21, wherein the logic portion further complises checking contents of a database coupled to the data processing arrangement and determining unreceived parts data by absence of data in the database (ie., ... determines whether all records in the database have been considered for inclusion in additional variable pages)(col 17, lines 41-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Palmer to include determining whether all records in the database have been considered for inclusion in additional variable pages, as taught by Warmus, providing the benefit of developing template pages wherein template data includes master data representing fixed information to be printed and area data representing information to be printed with selected variable information as they are processed (Warmus, Abstract section).

Claim 35, Palmer does not teach, but Warmus teaches

The method of claim 22, further comprising:

checking contents of a database; and determining data not yet received by absence of

data in the database (ie., ... determines whether all records in the database have been

considered for inclusion in additional variable pages)(col 17, lines 41-50).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Palmer to include determining whether all records in the database

have been considered for inclusion in additional variable pages, as taught by Warmus,

providing the benefit of developing template pages wherein template data includes

master data representing fixed information to be printed and area data representing

information to be printed with selected variable information as they are processed

(Warmus, Abstract section).

Response to Arguments

Applicant's arguments filed 4/14/05 have been fully considered but they are not

persuasive. Applicant argues on page 13 that Palmer does not determine if any parts of

the page has not been received corresponding parts data by the time of the page

editing operation. The examiner disagrees. In column 5, lines 20-25, the user can

select a dummy region within base document that user desires to define as a variable

data area. The user does this prior to creating a new document (col 4, lines 66 – col 5,

lines 5). Prior to the user entering data within the document, the data is unreceived and

the user has allocated space for this unreceived data in the dummy data region (col 5,

lines 30-33).

Applicant argues that neither Palmer nor Warmus teach Applicants' unreceived

parts data is determined by absence of data in the database. The examiner disagrees.

Palmer in column 5, lines 1-25 teaches that the user begins to enter data within

document fields (in the document). Prior to the user entering this data, there is an

absence of the data from the document (which is broadly interpreted as a database

from the claim limitations, since a document stores data that is contained within).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Gautam Sain whose telephone number is 571-272-

4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

·published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

GS

WILLIAM BASHORE
PRIMARY EXAMINER
6/16/2005